

Minutes of the Judiciary and Law Enforcement Committee - April 15, 2005

The meeting was called to order at 8:30 a.m. by Chair Mitchell who led the committee with the Pledge of Allegiance.

Present: Chair William Mitchell, County Board Supervisors Kathleen Cummings, Keith Harenda, Carl Seitz, David Swan, Jean Tortomasi; **Absent:** Mareth Kipp

Staff Present: Legislative Policy Advisor Mark Mader, Legis. Associate Sandra Meisenheimer

Also Present: Clerk of Courts Carolyn Evenson, Jury Coordinator Cheryl Gallo, Sheriff Inspector Bob Johannik, Deputy Inspector Steve Marks, Jail Administrator Mike Giese, Business Mgr. Tom Koth, CJCC Coordinator Shelly Cyrulik, Senior Financial Analyst Mike Baniel

Approve Minutes of March 11, 2005

Motion: Tortomasi moved, second by Cummings, to approve the minutes of 3/11/05. **Motion carried 5 – 0.**

Correspondence

1. Copies were distributed of Dave Krahn's report as of 4/15/05 on 2005 State Legislation as it pertains to the Judiciary Committee.
2. Letter to supervisors from District Attorney Paul Bucher regarding the 25th anniversary of National Crime Victims' Rights Week in America (April 10-16).

Executive Committee Report by Bill Mitchell of April 4, 2005

Chair Mitchell reviewed items that were discussed and/or considered at the last meeting on 4/4/05. He stated that most of the meeting dealt with interviewing the candidates for District #12.

Reports by Committee Member Liaisons

Kathleen Cummings reported on the Local Emergency Planning Committee Meeting of 3/15/05. She stated basically the theme is expect less money from the federal government as far as homeland security. She will give a more detailed report at the next meeting.

Future Agenda Items by Committee Members

Some suggestions from members were: tour of the jail, presentation on K-9 unit, updates on the SWAT team, Hazmat, and courthouse security, and tour of Metro Drug Unit.

Future Meeting Dates

The next committee meeting is scheduled for Friday, April 29, 2005.

Consider 2004 Waukesha County Annual Jury Report

Evenson said the report begins with highlights of some of the changes and improvements that have been made in the jury system over the past year. The Intranet Jury Portal is a new development, which will streamline their whole process of capturing data and questionnaire responses over the course of the year. To date they've had a very high rate of response from jurors, which is directly attributable to changes they've made.

Tortomasi asked are jurors selected at random from the Department of Transportation? Gallo said yes. Every year they ask for a certain number of names, which is what they think they will need to get the number of qualified jurors for the year. It's usually around 8,000 names. Tortomasi asked what is a four-year disqualification? Gallo said it means a person can't be called for the next four years. Swan asked if demographics are considered at all. Gallo said the names from the Motor Vehicle Department have to match the percentages of the demographics in Waukesha County.

Cummings asked what are some of the disqualifications? Gallo said some of them include not being a resident of the county, not a citizen, have to be over 18, can no longer be on probation and parole for a felony conviction, and medical reasons. This type of information is not in the data from Motor Vehicle. Tortomasi asked regarding statistics on Page 6, why is there such a discrepancy in costs and jury days from 2000 to 2004? Evenson said the judges work very hard to try to settle cases because that is in the best interest of the taxpayer. This report does not reflect an important statistic, which will be in next time, and that is court trials -- there were 509 court trials last year. Actually it is a random thing, and you never know. Five trials could be scheduled for Tuesday and by Monday afternoon they all could have settled.

Evenson said regarding the Oswald trial, they will work with DOA to estimate what the expenses will be. If they can't cover everything in their budget, they'll have to come to Board for a fund transfer. Security costs will be one of the big components of the trial, and there also will be significant bailiff costs.

Ordinance 160-O-006: Amend 2005 Sheriff's Department Budget Expenditure of Seized Funds April 2005

Motion: Swan moved, second by Cummings, to approve Ordinance 160-O-006. Johannik explained the ordinance which authorizes the Sheriff's Department to expend a total of \$82,004 in seized funds which are available in the general fund. Johannik went over the items that will be purchased with the seized funds: Crime Stoppers Promotion (\$10,000); 2 inmate stun belts (\$2,000); 16 squad car light bars (\$22,000); 10 Taser unit, training, cartridges for training (\$10,000); 1 infra red spotlight (\$1,000); 4 Huber cameras (\$8,500); 1 Huber camera monitor station (\$5,500); and 2 image stabilized binoculars (\$2,400) for a sub-total of \$61,400, minus participant distribution of \$20,604, for a total of \$82,004. **Motion carried 6 – 0.**

Discuss Grant Application for the Justice Assistance Grant (JAG) Program

Waukesha County is eligible for \$11,281 under this program. Marks explained that the funding applied for is for six hand-held radios. This will complete a three-year project to have portable radios available for all officers. To Tortomasi's question, Johannik replied that they should be hearing about their application by the end of April. When approved an ordinance will be drafted to appropriate the funds.

Report on the Metro Drug Unit

Koth said there will be a reduction of about \$103,000 for fiscal 2006 in regard to the Byrne Grant that helps to support the Metro Drug Unit. This will have to be addressed during the budget process. Mitchell asked is Metro a full-time job? Johannik said yes and the Metro captain has the authority of when to use SWAT.

Status Update on the Criminal Justice Collaborating Council (CJCC)

Cyrulik said there will be an activity report distributed at the beginning of May. Strategic planning, which is done on an annual basis, will be on April 25 at WCTC. At the last CJCC meeting they heard a presentation from the Juvenile Justice Committee on a decrease in funding from the Juvenile Accountability Block Grant. This will affect a program at the Juvenile Center. Cyrulik said she is not sure how it will end up but the good news is the council is working the way it should wherein there are committees looking at program areas related to their mission and goals and reporting back to the council with their findings.

Regarding the Juvenile Justice Committee, they are looking at communication that sets what legally can and cannot occur between the Juvenile Court, the school district and law enforcement.

Everyone has an understanding of what can and cannot be communicated but the interpretation of the law by Juvenile Court and the different school districts may not match up. Regarding Cummings' question about funding, Cyrulik said the Juvenile Accountability Block Grant, which is a federal funding stream that is distributed to the State and then to counties has been cut. She is looking for other available funding opportunities. The cut is 60% to the program and amounts to about \$40,000, which will probably eliminate the Saturday work program. For every 8 hours a juvenile works for the Saturday work program saves 2 days of detention.

Cyrulik said the Programs Committee is working on the development of a community corrections center, which will be a centralized location that has a gambit of services for offenders and defendants in Waukesha County. It will be a partnership with probation and parole, would have the current OWI fast track program, have WCS to manage this supervision program, have a local supervision component for the diversion program, and also would have links to education/employment services, the main jail and Huber jail. This could be called a day reporting center.

Cyrulik stated the Criminal Case Management Sub-Committee is in a bit of quandary presently. They created a pre-trial pilot program with the hope that having pre-trial conferences for misdemeanors cases with attorneys would decrease the actual time of deposition of cases and also have fewer court events at the same time. Preliminarily it shows that the opposite has happened, but everyone involved (D.A., public defenders, defense bar, some of the judges) feels the data is counter productive because things are being accomplished and fewer jury trials are being scheduled. This committee meets at the end of the month when additional statistics will be looked at to try to figure it out. This program could be adjusted extensively or eliminated.

Cyrulik stated the Data and Information Committee's goal is the criminal justice data warehouse which Information Systems is currently working on. The first phase involves the D.A., Courts, and Sheriff's Department. Right now Information Systems is working on getting CCAP data into the warehouse. It is going well, but what still needs to be addressed is what information they want out of it in the end (what kind of data, what kind of reports, what the software will be).

Discuss Grant Application for Drug Court Discretionary Grant Program/Adult Drug Court Implementation Grant

Cyrulik said the grant was submitted on March 31 and was written to focus on third offense drunk drivers. A pilot for fourth offense drunk drivers was discussed initially, and if the grant is not received, they will proceed with the pilot. Their intent is to serve about 1/3 of the total of third offense drunk drivers each year. The maximum award of the grant is \$450,000 over three years and does require a 25% match.

Swan left the meeting at 10:15 a.m.

Motion to adjourn: Harenda moved, second by Cummings, to adjourn the meeting at 10:20 a.m. Motion carried 5 – 0.

Respectfully submitted,

Mareth K. Kipp
Secretary

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